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"Circulation Books Open to All."

NIGHT **EDITION**

PRICE ONE CENT.

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LAURA BIGGAR, WHO IS SET FREE

NO HEAT IN

Order Issued This Morning Stops the Warming Plant and Passengers Travel with Chattering Teeth.

PROTESTS ARE OF NO AVAIL.

Animal Warmth from Close Crowding Deemed Sufficient Comfort for Those Who Pay the Company's Dividends.

Cold-storage rapid transit was the programme the Manhattan Elevated

"L" read have shrugged their shoulders ized transportation. What do they care whether men and women have to risk on open platforms? Put on more cars? Why, that would necessitate a change in the trainmaster's schedule and als That would decrease the earnings

But finally one of the more origina officers of this great company hit upon a happy thought that was put into practice to-day. Possibly this thought was inspired by a knowledge that nature endowed animals with the instinct to huddle together in freezing weather and thus generate communal warmth. Taking this as a basis the father of this great idea reasoned that if the ordinary intelligent New Yorker was sub-jected to exposure to zero weather h would act upon the instinct and huddle Double Economy.

When the mercury began to drop and drop last night this thought was communicated to others in charge of the road's management, with the result that the edict went forth this morning to turn off the heat in all the cars on the miles of elevated road in this city. This order went into effect at 6 A. M., and since then the only warmth that any of the patrons of the "L' succeeded in getting came from the close packing to which they are subjected who travel on "L" system. It was an excellent idea-from the point of view of the "L' management. It economized electricity by the shrinkage of individuals occasioned by the cold made a few more square inches available for the stowage of a few additional "fares."

The first few downtown consignment of the Manhattan "L's" human freight protested against the cold cars, but the trainmen said they had their orders and could offer no relief. These early morning cars had been heated all night hour that the cars had acquired the degired frost for refrigerating purposes But when they were properly 'ced, "per official order," a loud and continued wall of "turn on the heat" was heard on every train from Harlem to the Bat-

rule had gone into effect this morning, meant immediate discharge.

But in the lower Broadway offices without having to resort to undue force. the Powers might produce friction. Who could justly complain? Did not every passenger willingly exert every

An Evening World reporter called on cargo. No request for instructions have come from him. Supt. Grape, of the Manhattan Elevated

the order cutting off the heat. Mr. Grape raised his eyebrows and re-

plied with an easy drawl: "That is a matter that concerns the company only and one which I do not work for the District-Attorney, upon stowaway, was allowed to land from the think necessary to discuss." Then with hearing that he was wanted on a charge steamer Milano, which arrived to-day a wave of his hand and another super- of perjury, went to the office of Mr. Je- from Hamburg. cilious elevation of his cycbrows the rome this afternoon and surrendered Strobe was found by an officer below company's superintendent dismissed his himself. He was taken to Yorkvile decks when the vessel was three days questioner.

was not some way of compelling the ynge.
Manhattan Company to heat their cars, Jaco

Manhattan Company to heat their cars, said that there was not.

"There are two city ordinances that compel the surface cars to heat their cars, but these municipal laws do not apply to the elevated roads. My chief inspector, Mr. Bramley, has a number of inspectors out getting evidence against those surface roads that fail to heat their cars, and we will proceed against the roads at once, turning our evidence over to the Bureau of Penalties. The ordinance provides that a fine of \$25 shall be imposed for each offense, Unless the Board of Aldermen take action in this matter there is absolutely no way in which the "L!" road can be compelled to treat their patrons like human beings."

Manhattan Company to heat their cars, said was not.

Jacobs swore he gambled in a g





ROOSEVELT CONSIDERS EUROPE'S INVITAT

President Will Not Be Able to Accept or Reject the Request to Arbitrate in Venezuela Till He Reads the Conditions Insisted Upon.

WASHINGTON, Dec. 24.-The British and German formal proposals to President Roosevelt to arbitrate the Venezuelan difficulty have ceived here. They are in such shape that the President can accept or de-

ceived here. They are in such shape that the President can accept or decline the proposition, but so far he has reached no decision, not having had opportunity to carefully consider them.

Despite the opposition of Secretaries Root, Knox and Moody, President Roosevelt has decided to be the sole arbiter of the Venezuela matter if the powers present a formal and unequivocal request to that effect. Secretary law, who was also opposed to the President has after a careful review of conspiracy."

The jury filed in and Mr. Cashion called counted each juror. Laura Biggar put her left arm around Mrs. Hendrick's neck affectionately, as she said: "!Keep cool, my dear."

"Gentlemen of the jury." said Mr. Cashion, addressing the foreman, "have you agreed on a verdict?"

We have." Mr. King replied. "We find Dr. Hendrick and Stanton guilty and Miss Laura Biggar not guilty of the conspiracy." though, so it was not until the rush Hay, who was also opposed to the President, has, after a careful review of the situation, come around to his way of thinking.

MUST PASS ON MONROE DOCTRINE.

The President's idea is that so important a matter as the Monroe Doctrine, which inevitably enters into the situation, should not be passed upon by any but an American. It is conceded by the Powers that the interpreta-But the demands for heat were met tion of the Monroe Doctrine lies only with the United States, and the Presiwith the reply that the new cold-storage dent feels that this right should be jealously guarded. To allow even so and for any employee to disobey it impartial a tribunal as The Hague Court to pass upon it might establish a dangerous precedent.

The President's opponents in the Cabinet hold that the European powers high officials were congratulating themthe bothersome problem of utilizing the this country ousy adjusting them in the event of a favorable decision of the last cubic inch of space in their cars Venezuela case. On the other hand, a decision not wholly satisfactory to

The Navy Department has received no word from Commander Diehl. to wedge himself into jammed of the Marietta, concerning his reported protest against the action of 'cars? It was a beautiful idea and the blockading squadron at Caracas in refusing to allow the Red D Liner Worked like a charm. Caracas to remain in the harbor yesterday long enough to discharge her

Railroad Company, this afternoon and steurnoon and sked him why the company had issued

Jerome's Man Appears Voluntarily Stowaway in Luck Because He Had

in Answer to Warrant. Detective bacobs, who has been doing Hugo Strobe, twenty-two years old, a

The warrant was sworn out on in- sailor on the ship and has lived in this President Lederie, of the Board of Health, when asked by an Evening O'Reilly and Abraham Gruber, of the World reporter this afternoon if there firm of Black, Olcott, Gruber & Bon-America, was helped to hide himself by the crew, who also provided him with

Jacobs swore he gambled in a gam- food, until one of the officers of the

the doortender of the place, is nothing like it. He told of a panel in the front door; there is no panel. He did not describe the statuary. He told of buying \$2.50 or the statuary. He told of buying \$2.50 chips. Smith says that chips of that denomination have never been sold in the house.

Commissioner Makes Roundsmen of Thirty-eight Patrolmen.

Police Commissioner Partridge this afternoon promoted thirty-eight patrolmen to roundsmen.

tion in this matter there is absolutely no way in which the "L" road can be compelled to treat their patrons like human beings."

To Cure a Cold in One Day Take Lazative Brome Quinine Tableta. All draugists refund the money if it tails to cure. The examination was set for next Friday. When Jacobs was asked his age, address and business, he refused, on the work of the money if it tails to cure. The can business, he refused, on the low them to roundsmen. As he did yesterday with the sergent part of the men into the geants, he called all the men into the geants

Lived Here Two Years.

Found Not Guilty by Jury in Conspiracy Trial and Will Obtain \$172,000 Under Bennett Will.

DR. HENDRICK IS GUILTY.

He and Stanton Convicted on Charge of Attempting to Get Control of the Bennett Estate -Mrs. Hendrick Faints.

trying the case of Laura Biggar, Samuel Stanton, ex-Justice of the Peace, and Dr. C. C. Hendrick for conspiring to acquire the fortune of \$300,000 left by after having been out twenty-four hours. with a verdict freeing the woman and onvicting the two men.

At first the jury stood six to six on the question of convicting Laura Biggar From, the first all twelve men agree hat Hendrick and Stanton were guilt When the jury requested Judge Heisey to convene court this morning a 9.30 they stood eleven to one in favor of Miss Biggar. Finally, after lunched the man who held out against the other eleven gave in. The juror who first suggested that Laura Biggar should be acquitted was the first to suggest that the two men were guilty. He showed more interest in Laura Biggar's testimony than any of the others. Had he not insisted that the woman should go free all three might have been con

Crowded Into Court.

The court-room was almost empt nen King that the jury had agreed The news spread rapidly, and soo Mrs. Hendrick came in first. They sat in the front row. Stanton and Hendrick were brought in by a dep or the first time during the trial, wore a heavy black veil. She had the coller of her seal coat turned up to her ears. Mrs. Hendrick sat on the

ward Cashion, the clerk, to convene statement that his patient's condition court whenever the jury came in, so that his presence was not necessary. When Dr. Filnt left the house, No. 22 that his presence was not necessary. clerk did not take the Judge's seat. been re- He steed up in front of his own desk.

conspiracy.

Mrs. Hendrick Fainted.

Mrs. Hendrick Fainted.

The foreman was careful not to allude to Laura Biggar as Mrs. Bennett. As the verdict was announced Mrs. Hendrick fell over in a faint. Laura Biggar put both arms around her neck, but did not say anythins. She evidently was happy at the outcome of the trial.

The jury was then discharged. Laura Biggar went back to the Belmont Hotel and the other two prisoners were led back to the jail.

Dr. Hendrick was upset over the verdict, although from the time that the jury went out it was pretty well understood that of the trio he had the least chance of escaping. The jury regarded him as the arch conspirator, Stanton as a fool and Laura Biggar as a woman easily led into trouble.

The time for pronouncing sentence on Dr. Hendrick and Stanton has not yet been fixed.

Hendrick Will Appeal.

lendrick and wished him a merry hristmas.
"I haven't any plans for the future," he said. "The will still stands, I suppose, I am going to stay in Freehold because I haven't any other place to to. This is my home for the present."
It is generally understood that Laura Biggar will get \$172,000 as her share of the estate. It will be at least fourteen rears, however, before she has full control of her share of the property. Her acquittal was received with bad grace by the lawyers who have been adding the prosecution in the interests of the other heirs. of the other heirs.

WEATHER FORECAST.

Forecast for the thirty-six hours ending at S P. M. Thursday for New York City and vicinity-Rising temperature and cloudy to-night, with snow late to-night or early on Thursday morning; Thursday snow, followed by clearing and colder Thursday evening or night; easterly winds, increasing to brisk, shifting to northwest on Thursday.

Short Line-Short Time.

J. P. MORGAN'S FLATS



ANNFKRIFT IS

Physicians Report a Much Low-More Encouragement Than at Any Previous Time.

TO HAVE A CHRISTMAS TREE

was reported to be very much improved this afternoon. For the first time since the young millionaire has been danger- ing and gave cause for great hope. ously ill Dr. Austin Flint, jr., one of his physicians, came out strongly with a

Park avenue, at 3 o'clock this afternoon his face was beaming and he

Dr. Janeway and I will return at 6.30

To Have a Christmas Tree.

The report of the physicians was suf-

wagon with a splendid tree was driven up to the door. Two men pulled it out and started up the steps. Cornenus and hysicians Report a Much Low-er Temperature and Give there was such a hand-clapping and dancing of eyes that had their father seen it he must have grown stronger at once, sick and weak as he is.

Cornelius was so excited by the ar rival that he almost forgot to salute the

day. Had he done so it would have been the first time, but he oldn't, and the policeman gravely responded

Early Bulletin Encouraging.

Vand cellt family is greatly encouraged at the condition of the patient. The following bulletin, issued this morning, shows how the wind is blow-Vanderbilt passed a better

id: the impression was that Mr. Vi "Everything is very favorable indeed." was improved over yesterday,

A runaway team attached to a laun to have some very good news for you." of No. 132 East Thirty-eighth street.
"Does that mean that the patient's was stopped in front of the Vanderbilt temperature is falling?" he was asked. home by Policeman Flynn, who is on "Yes," he replied. "It is steadily and guard at the house. The horse was tearrapidly falling." ing down the street driverless when Flynn ran out and caught him. He was dragged twenty feet.

iciently encouraging to permit the little It's Nine Hundred and Twelve Miles Vanderbilt children, Cornellus, jr., and Gladys, to have their longed-for Christ
Gladys, to have their longed-for Christpalatlal train. *.*

not live, all thought of the tree was

The arrival of the tree means that the

night. His temperature is a little lower and his general condition is also slightly improved. FLINT,

A servant leaving the house shortly

CAPT. MOYNIHAN ACQUITTED ON THE CHARGE OF BRIBERY.

Police Captain Moynihan, who has been on trial for bribery "The verdict will never hold. I shall carry the case to the Court of Appeals. The next term is in February. Until then I shall remain in jail."

Laura Biggar went over to see Dr. Hendrick and wished him a merry Christmas.

ALDERMAN METZGER BADLY HURT IN COLLISION.

Alderman Metzger was thrown from a wagon at Forty-seventh street and Sixth avenue this afternoon in a collision with a Sixth avenue car. The Alderman's jaw was fractured and he was taken to his home, at No. 353 West Forty-second street, after being attended by a Flower Hospital surgeon.

William Ecker, of No. 235 West Sixty-seventh street, was knocked from his wagon in the same accident, receiving internal injuries. He was taken to the hospital.

LATE WINNERS AT NEW ORLEANS.

Fifth Race—Sarilla 1. Mosketo 2, Marcos 3.

CANTOR MOVES TO STOP OVERCROWDING IN CARS.

A conference was held this afternoon between Borough President Cantor and the representatives of the Manhattan and Interurban lines in regard to the overcrowding of cars. The railroad men expressed a willingness to confer generally on all propositions affecting public travel.

Definite action was postponed until after the public hearing ordered by the State Railroad Commissioners for Dao.30 is held.

MORGAN'S FLATS THAT TENANTS SAY WERE COLD. PMORGAN'S FLATS TENANTS SHIVER, THEN SUE HIM.

Great Trust Magnate Owns a Flat Building in Park Avenue, and the Tenants Say They Had to Send Out and Buy Coal to Keep from Freezing.

Now They Are Suing Their Millionaire Landlord for the Price of the Coal and Have Got a Summons for His Appearance in Court.

MORGAN CONTROLS VAST STORES OF COAL, BUT CAN'T WARM A FLAT.

Railroads owned or controlled by J. P. Morgan and the daily output; in tons of hard coal which they are bringing to New York:

Reading	5,000
Erie	10,000
Lehigh Valley	8,000
Delaware, Lackawanna and Western	11,000
Ontario and Western	3,800
Jersey Central	10,000
Delaware and Hudson	5,000
Total	52,800

Though Mr. Morgan practically controls this immense daily shipment of coal, he was unable to keep tenants in one of his flats warm.

J. Pierpont Morgan has been summoned to appear in the Seventh District Civil Court in East Fifty-seventh street, on Jan. 2, 1903, to make nswer in a civil suit against him for the recovery of \$250, expended for coal by the tenants of a flat house owned by Mr. Morgan at Nos. 961 and 963 Park avenue. The summons is in the hands of Attorney D. W. Blumenthal, who says he will serve it, even at the risk of being shrivelled

A process-server failed in his efforts to serve the summons on Mr. Morgan to-day. He was told at Mr. Morgan's office that he was not in and might not return during the afternoon. Renewed efforts to serve the summons will be made on Friday.

According to the complainants, Bernard and Harry Nevelson, who keep a drug store on the ground floor of the Morgan flat house and have before the bulletin was issued said that apartments upstairs, they have had no coal this winter. Repeated messages have been sent to Mr. Morgan over the telephone telling him there was no coal in the house and that the tenants were freezing. Finally, say

o'clock this evening and we hope then dry wagon belonging to John S. Harris, the complainants, they were compelled to buy their own coal. A suit more tinged with irony has never been filed. Mr. Morgan at the time when the coal strike was assuming ominous proportions inaugurated a movement to ship coal to this city from Wales and supply it to when the poor. His tenants think it strange indeed that if he could afford to give away coal to the poor he could not afford to give it to them.

TOO COLD FOR A SURPRISE. The Nevelsons do not appear to have become extremely nettled until Wednesday night of last week. That night was chosen by a party of friends as the time to give the Nevelsons a surprise party. It was a double-

barrelled surprise, for when the friends drove up to the place they were told (Continued on Second Page.)

SNOW PROMISED DIPLOMAT DROPS FOR CHRISTMAS. DEAD IN STREET

Weather Forecasters Say There Howard Ellis, Former United Will Be a Regular Old-Fashioned White One with Storm Accompaniment.

Minister to Sweden, Dies Suddenly in Front of City Hall Park.

DANGER SIGNALS ON COAST. CRIED "CATCH ME, PLEASEP"

There'll be no green Christmas this Howard Ellis, former Minister to There'il be no green Christmas this year, if the Weather Bureau knows its business. When the people of this town wake up to-merrow morning they should find the streets and house tops white with snow. If there is one day in the year when few people will object to this evidence of winter it's Christmas, which never seems quite like the real thing unless there is the jingling of sieigh bells in the air and the crisp creaking of the pounded powder under foot. New York to this afternoon in company with